



N A R U C
National Association of Regulatory Utility Commissioners

MEMO ENDORSED

VIA Facsimile Delivery [212.805.7906]

September 18, 2007

The Honorable Denny Chin
United States District Judge
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse, Courtroom: 11A
500 Pearl St., Room 1020
New York, NY 10007

USDC SDNY
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Re: *CFTC v. Amaranth, et al.*, Civ. Action No. 1:07-6682 (SDNY)
Request to Waive Requirement for Local Counsel

Dear Judge Chin:

Yesterday, the National Association of Regulatory Utility Commissioners (NARUC), an organization of government officials involved in regulating the electricity market, respectfully requested leave to file, as *amicus*, a memorandum of law (MOL) supporting the FERC and opposing Amaranth's motion seeking a preliminary injunction.

Yesterday, you also quickly granted NARUC's motion.

We genuinely appreciate the opportunity to provide additional information for your consideration.

Unfortunately, we neglected to specifically request that the court waive the local counsel requirement. NARUC has a very small staff that covers the entire range of regulated sectors. We are in the process of getting a lawyer from a NARUC member (the New York commission) to be our local accommodation counsel. Given this Friday is the deadline you provided for our filing, trading the paperwork and affidavits for filing has become a significant obstacle to completion of the MOL.

We understand you've granted a waiver of the local counsel requirement to another *amicus* in this docket because, in part, of the short filing deadlines and would greatly appreciate the grant of a similar waiver to NARUC.

In light of the foregoing, NARUC respectfully requests the Court permit NARUC to file its memorandum of law addressing the merits as *amicus curiae* without arranging for local counsel or filing a motion *pro hac vice*. As per the attached certificate of service, NARUC has served this request via fax (and e-mail) to the parties to this proceeding.

Respectfully submitted,

James Bradford Ramsay
James Bradford Ramsay
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National Association of
Regulatory Utility Commissioners
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The requirement
is waived,
so ORDERED.

[Signature]
USDC 9/20/07